

|   |                               |                              |
|---|-------------------------------|------------------------------|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><br><small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small> | Attorney Docket No. 5618P3665 |                              |
|   | First Inventor                | William E. Webler, et al.    |
|   | Title                         | Valve Aptation Assist Device |
|   | Express Mail Label No.        | EV339919565US                |

|   |   |
|---|---|
| <b>APPLICATION ELEMENTS</b><br>See MPEP chapter 600 concerning utility patent application contents  | ADDRESS TO:<br>Mail Stop Patent Application<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450   |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br><small>(Submit an original and a duplicate for fee processing)</small><br>2. <input type="checkbox"/> Applicant claims small entity status.<br>See 37 CFR 1.27.<br>3. <input checked="" type="checkbox"/> Specification <span style="float: right;">[Total Pages <u>72</u>]</span><br><small>(preferred arrangement set forth below)</small><br>- Descriptive title of the invention<br>- Cross References to Related Applications<br>- Statement Regarding Fed sponsored R & D<br>- Reference to sequence listing, a table,<br>or a computer program listing appendix<br>- Background of the invention<br>- Brief Summary of the invention<br>- Brief Description of the Drawings (if filed)<br>- Detailed Description<br>- Claim(s)<br>- Abstract of the Disclosure<br>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">[Total Sheets <u>42</u>]</span><br>5. Oath or Declaration <span style="float: right;">[Total Pages <u>  </u>]</span><br>a. <input type="checkbox"/> Newly executed (original or copy)<br>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d))<br><small>(for continuation/divisional with Box 18 completed)</small><br>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br><small>Signed statement attached deleting inventor(s)<br/>         named in the prior application, see 37 CFR<br/>         1.63(d)(2) and 1.33(b).</small><br>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or<br>Computer Program (Appendix)<br>8. Nucleotide and/or Amino Acid Sequence Submission<br><small>(if applicable, all necessary)</small><br>a. <input type="checkbox"/> Computer Readable Form (CRF)<br>b. Specification Sequence Listing on:<br>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or<br>ii. <input type="checkbox"/> paper<br>c. <input type="checkbox"/> Statements verifying identity of above copies<br>9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))<br>10. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney<br><small>(when there is an assignee)</small><br>11. <input type="checkbox"/> English Translation Document (if applicable)<br>12. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS<br>Statement (IDS)/PTO-1449 Citations<br>13. <input type="checkbox"/> Preliminary Amendment <input checked="" type="checkbox"/> Application Amended to<br>Reflect Claim of<br>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <input type="checkbox"/> Priority<br><small>(Should be specifically itemized)</small><br>15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><small>(if foreign priority is claimed)</small><br>16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i).<br>Applicant must attach form PTO/SB/35 or its equivalent.<br>17. <input type="checkbox"/> Other: _____ |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application No: \_\_\_\_\_  
 Prior application Information: Examiner \_\_\_\_\_    Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

|   |  |           |                |  |                |
|---|--|-----------|----------------|--|----------------|
| 18. CORRESPONDENCE ADDRESS                          |  |           |                |  |                |
| <input checked="" type="checkbox"/> Customer Number |  | 08791     |                | or <input type="checkbox"/> Correspondence address below |                |
| Name  | Blakely, Sokoloff, Taylor & Zafman LLP |           |                |  |                |
| Address   | 12400 Wilshire Boulevard, 7th Floor    |           |                |  |                |
| City  | Los Angeles                            | State     | California     | Zip Code   | 90025          |
| Country   |  | Telephone | (310) 207-3800 | Fax  | (310) 820-5988 |

|                   |                           |                                   |          |
|-------------------|---------------------------|-----------------------------------|----------|
| Name (Print/Type) | William Thomas Babbitt    | Registration No. (Attorney/Agent) | 39,591   |
| Signature         | <i>William T. Babbitt</i> | Date                              | 11/12/03 |

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

1,878.00

## Complete if Known

Application Number

Filing Date

First Named Inventor

William E. Webler

Examiner Name

Group/Art Unit

Attorney Docket No.

5618P3665

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     | 770.00   |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | 770.00   |

### 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 72                 | 20*          | 52             | \$936.00 |
| Independent Claims | 5            | 3*             | \$172.00 |
| Multiple Dependent |              |                |          |

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |          |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                         |          |
| 1203         | 290      | 2203         | 145      | Multiple Dependent claim, if not paid                     |          |
| 1204         | 86       | 2204         | 43       | **Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |   | 1,108.00 |

\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity                       |          | Small Entity |          | Fee Description  | Fee Paid |
|------------------------------------|----------|--------------|----------|--|----------|
| Fee Code                           | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051                               | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052                               | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 2053                               | 130      | 2053         | 130      | Non-English specification  |          |
| 1812                               | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804                               | 920 *    | 1804         | 920 *    | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                               | 1,840 *  | 1805         | 1,840 *  | Requesting publication of SIR after Examiner action                        |          |
| 1251                               | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252                               | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253                               | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254                               | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255                               | 1,210    | 2255         | 605      | Extension for reply within fifth month                                     |          |
| 1404                               | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402                               | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403                               | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451                               | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                               | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453                               | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501                               | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502                               | 480      | 2502         | 240      | Design issue fee   |          |
| 1503                               | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460                               | 130      | 2460         | 130      | Petitions to the Commissioner  |          |
| 1807                               | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806                               | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                               | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                               | 770      | 1809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                               | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                               | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802                               | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify)                |          |              |          |  |          |
| * Reduced by Basic Filing Fee Paid |          |              |          |  |          |
| SUBTOTAL (3)                       |          |              |          |  |          |

## SUBMITTED BY

Name (Print/Type)

William Thomas Babbitt

Registration No.  
(Attorney/Agent)

39,591

Telephone

(310) 207-3800

Signature

William Thomas Babbitt

Date

11/12/03

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

|                        |                              |
|------------------------|------------------------------|
| First Named Inventor   | William E. Webler            |
| Title                  | Valve Aptation Assist Device |
| Attorney Docket Number | 5618P3665                    |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

11/12/03  
Date

William T. Babbitt  
Signature

William Thomas Babbitt, Reg. No. 39,591  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 112(b)(2)(B)(iii)).**

Express Mail No.: EV339919565US  
DOCKET NO.: 5618P3665

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

WILLIAM E. WEBLER, ET AL.

Application No.:

Filed:

For: **Valve Aptation Assist Device**

Art Group:

Examiner:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF FORMAL DRAWINGS**

Sir:

Enclosed herewith for filing in the above-identified U.S. Patent Application are the formal drawings, 42 sheets including 72 Figures. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of the Fee Transmittal is enclosed for this purpose.

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LLP

Dated:

11/12/03

William T. Babbitt

William Thomas Babbitt, Reg. No. 39,591

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